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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/335,031	06/16/99	IWAMURA	K 35.C11664-DI

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EXAMINER

FELTEN, D

ART UNIT

PAPER NUMBER

2164

DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/335,031

Applicant(s)

Iwamura

Examiner

Daniel Felten

Group Art Unit

2164

☒ Responsive to communication(s) filed on Jun 16, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 24-53 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 24-53 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 3

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1 1. The receipt of the Preliminary Amendment filed June 16, 1999 canceling claims 1-23
2 and adding claims 24-53 is acknowledged. Claims 24-53 are pending in the application and are
3 presented for examination on their merits.

4
5 2. An acknowledgment is made that application Serial No. 09/335,031 filed June 16, 1999
6 is a DIVISIONAL of application Serial No. 08/706,491 filed September 4, 1996, now U.S.
7 Patent No. 5,937,395. The prior art of record within the parent application has been
8 considered.

Claim Objections

10
11 3. Claims 25 and 46 are objected to because of the following informalities:

12 Re claim 25, line 3, Delete "ot" and substitute --to--.

13 Re claim 46, line 3, Delete "ot" and substitute --to--.

14 Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 34-36 and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claims 34-36 recite the limitation "money information" in line 2 of each of the claims. There is insufficient antecedent basis for this limitation in the claim(s).

7. Claim 43 recites the limitation "type" in line 2 and 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

1 (b) the invention was patented or described in a printed publication in this or a foreign country or in public use
2 or on sale in this country, more than one year prior to the date of application for patent in the United States.

3 9. Claims 24-50 are rejected under 35 U.S.C. 102(b) as being anticipated by Fukatsu (US
4 5,302,811).

5 **Regarding claims 24 and 28**, Fukatsu discloses a point of sale apparatus providing a
6 method comprising:

7 a step of inputting money information indicating an amount of money recorded on a
8 recording medium (see credit card, col. 16, line 67 to col. 17, line 19; see cash card, col. 17
9 line 53+),

10 a step of judging the money information input from the input means (checks the
11 account, see col. 17, lines 25-29; and col. 18, lines 25-27) account and outputting a
12 permission signal for permitting a use of information provided by an information provider (see
13 col 17, lines 29-33); and

14 a step changing the money information based on a result of judging by the judging
15 means (see col. 17, lines 33-39; and col. 18, lines 32-42).

16
17 **Regarding claims 25, 29 and 34**, Fukatsu discloses wherein the judging step judges
18 the money information in accordance with the money information and use charge information
19 added to the provided information (see purchase amount - cashing amount; col. 17, lines 33-
20 39; see col. 18, lines 32-42).

1 **Regarding claims 26, 30, and 35,** Fukatsu discloses wherein the money information is
2 cash (see col. 17, lines 41-47).

3
4 **Regarding claims 27, 31, and 36,** Fukatsu discloses wherein the money information
5 is recorded in a recording medium (see cash register memory unit 153; col. 17, line 47-50)

6
7 **Regarding claims 32 and 37,** Fukatsu discloses a communications means for
8 transmitting user information of the provided information (see col. 17, lines 20-25; col. 18,
9 lines 21-25).

10
11 **Regarding claim 33,** Fukatsu discloses a communications method comprising:
12 a step of providing information including first money information for an information
13 provider terminal;
14 a step of receiving and using information provided by the information provider terminal
15 and second money information; and
16 a step of comparing the first money information and the second money information,
17 outputting a permission signal for permitting use of the information provider terminal
18 according to a result of the comparison, and altering the second money information (see
19 col.17; lines 12-52; col. 18, lines 21-50).

1 **Regarding claims 38 and 39**, Fukatsu discloses a charge distributor step of
2 transmitting charge distribution information to the information provider terminal in accordance
3 with the use information; and

4 a charge accommodating step of performing accommodation of a use of charge of the
5 provided information in accordance with the use of information (see col. 17, lines 47-50; and
6 col. 18, lines 45-48).

7
8 **Regarding claim 40**, Fukatsu discloses wherein the cipher communication is
9 performed between the terminals (see col. 17, lines 15-19; col. 17, lines 59-68).

10
11 **Regarding claims 41-45**, Fukatsu discloses, as in claim 41, a method comprising the
12 steps of:

13 inputting first data indicating an amount of money (see credit card, col. 16, line 67 to
14 col. 17, line 19; see cash card, col. 17 line 53+);

15 inputting second data regarding information subscribed from an information provider to
16 a terminal via network (see online, col. 15, lines 16-20);

17 judging whether a use of the information at the terminal can be permitted or not, in
18 accordance with the first and second data (checks the account, see col. 17, lines 25-29; and
19 col. 18, lines 25-27); and

1 indicating the judgment result of a use permission;

2 as in claim 42, wherein the second data includes a use charge, and the judging step
3 judges a use permission of the information by comparing the amount of money and the use
4 charge (see col. 18, lines 29-42);

5 as in claim 43, wherein the first data includes data indicating the type of a recording
6 medium in which the first data is recorded, and the judging step judges a use permission of the
7 information in accordance with the data indicating the type (see col. 18, lines 32-36);

8 as in claim 44, a step of rewriting the amount of money in response to a judgement
9 operation of the judging step (see col. 18, lines 36-38);

10 as in claim 45, a step of outputting a use state of the information to the external of the
11 device in response to a judgment operation of the judging step (see col 18, lines 42-45).

12
13 **Regarding claims 46-48**, Fukatsu discloses, as in claim 46, a program storage
14 medium readable by a computer, tangibly embodying a program of instructions executable by
15 the computer to perform an accounting method, the method comprising the steps of:

16 inputting money information indicating an amount of money recorded on a recording
17 medium (see col. 16, lines 20-66);

1 judging the money information inputted in the input step and outputting a permission
2 signal for permitting a use of information provided by an information provider (col. 16, lines
3 35-42); and

4 changing the money information based on a result of judging in the judging step (see
5 col. 16, lines 50-52);

6 as in claim 47, wherein the recording medium includes a card-type recording medium
7 (see figs. 14A and 14B; col. 14, lines 15-40)

8 as in claim 48 wherein the card-type recording medium includes a prepaid card (see
9 figs. 14A and 14B; col. 14, lines 15-40).

10
11 **Regarding claims 49 and 50, Fukatsu discloses a program storage medium readable**
12 **by a computer comprising the steps of:**

13 obtaining first data indicating a first amount of money recorded on a recording
14 medium;

15 obtaining second data indicating a second amount of money regarding an information
16 provided from an information provider via a network;

17 judging whether a use of the information can be permitted or not, in accordance with
18 the first and second data;

19

1 rewriting the amount of money in the first data based on the judgment operation, and
2 notifying the judgment result of a use permission (see col. 16, lines 20-66).

3
4
5 *Claim Rejections - 35 USC § 103*

6 10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
7 obviousness rejections set forth in this Office action:

8 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
9 section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
10 such that the subject matter as a whole would have been obvious at the time the invention was made to a person
11 having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the
12 manner in which the invention was made.

13 11. Claims 51-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukatsu
14 (US 5,302,811).

15 Fukatsu discloses all the elements that meet the claimed limitation, *except* a plurality of
16 information providers (banks and/or credit companies, etc.) and terminal devices (registers).
17 Fukatsu teaches a point of sale system (POS)/cash register within a convenience store (see
18 col. 15, line 25), where it is submitted that more than one register/POS system may be desired
19 depending on the needs of the establishment, i.e., the volume of customers or items purchased
20 from the establishment. Therefore, it would have been obvious for an artisan of ordinary skill
21 in the art at the time of the invention to provide more than one point of sale system (POS)/cash

1 register for fast and convenient service to customers. Thus such a redundancy would constitute
2 an obvious expedient well within the ordinary skill in that art.

3
4 ***Conclusion***

5
6 12. A list of cited references appears below not relied upon in this Office Action:

7 Waiwood et al (US 37,757,917) Discloses a logic system for postal facility

8 Claus (US 5,461,217) Discloses secure money transfer techniques using smart cards

9 Morrow (US 3,608,690) Discloses apparatus and methods for registering cash, registering a sale
10 and automatically dispensing change

11 Goldfine et al (US 5,343,529) Discloses a transaction authentication using a centrally generated
12 transaction identifier

13 Nishio (US 5,887,192) Discloses a software usage measurement apparatus for imposing a proper
14 charge in accordance with number of times multimedia unit data of a software is being processed

15
16 13. Any inquiry concerning this communication or earlier communications from the examiner
17 should be directed to ***Daniel S. Felten*** whose telephone number is (703) 305-0724. The
18 examiner can normally be reached between the hours of 7:00AM to 5:30PM Monday-Thursday.
19 Any inquiry of a general nature relating to the status of this application or its proceedings should
20 be directed to the Customer Service Office (703) 306-5631, or the examiner's supervisor
21 ***Vincent Millin*** whose telephone number is (703) 308-1065.

22
23 14. Response to this action should be mailed to:
24


1 Commissioner of Patents and Trademarks

2 Washington, D.C. 20231

3
4 for formal communications intended for entry, or (703) 305-0040, for informal or draft
5 communications, please label "Proposed" or "Draft".

6 Communications via Internet e-mail regarding this application, other than those under 35
7 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
8 addressed to *[daniel.felten@uspto.gov]*.

9 All Internet e-mail communications will be made of record in the application file. PTO
10 employees do not engage in Internet communications where there exists a possibility that
11 sensitive information could be identified or exchanged unless the record includes a properly
12 signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
13 set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
14 Trademark on February 25, 1997 at 1 195 OG 89.

15
16 
17 Daniel S. Felten
18 February 26, 2001


VINCENT MILLIN
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